

STAFF REPORT

Planning Commission Meeting: **October 28, 2019**

Application:	<u>PR19-0023</u> Revised preliminary site development plan for Ko Martial Arts
Location:	Southeast corner of Noble Drive and College Boulevard
Owner:	Leonard B. and Eulalia Family Limited Partnership
Applicant:	Bronson Ko, Ko Martial Arts
Engineer:	Judd Claussen, Phelps Engineering, Inc.
Staff Contact:	Kim Hollingsworth, AICP, Senior Planner

Site Area:	<u>0.94± acres</u>	Proposed Use:	<u>Specialty School (Martial Arts Studio)</u>
Zoning:	<u>CP-2 (Planned General Business District)</u>	Plat:	<u>Shops of Sunnybrook, LT 39</u>
Building Area:	<u>5,015 sq. ft.</u>	Lots:	<u>1</u>

	Plan Olathe Land Use Category	Existing Use	Current Zoning	Site Design Category	Building Design Category
Site	Neighborhood Commercial Center/Employment Area	Vacant	CP-2	4	D
North	Employment Area	Vacant	R-1	-	-
South	Neighborhood Commercial Center	Multi-tenant Commercial	CP-2	-	-
East	Neighborhood Commercial Center/Employment Area	Dentist Office	CP-2	-	-
West	Neighborhood Commercial Center/Employment Area	Vacant	BP	-	-

1. Introduction:

The following item is a request for a revised preliminary site development plan for Ko Martial Arts located at the southeast corner of Noble Drive and College Boulevard in the Shops of Sunnybrook. The proposed project is for a 5,015 square foot martial arts studio.

The subject property was rezoned from BP to CP-2 (Planned General Business District) through RZ01-0012 in 2001. The associated preliminary site development plan for the Shops of Sunnybrook included approximately 86,500 square-feet of retail and commercial development within the shopping center. The preliminary plan included a gas station and convenience store to be located within the development at the subject site. The plan was revised in 2018 (PR18-0017) which relocated the gas station and convenience further south along Lone Elm Road. The proposed development on the subject site was revised to a 4,150 square foot restaurant.

The applicant has submitted a revised preliminary site development plan to construct a 5,015 square foot martial arts studio to replace the planned restaurant. Per Section 18.40.120 of the Unified Development Ordinance (UDO), revised preliminary site development plans are required when there are major changes to the approved preliminary site development plan. The proposed building increases the square footage of the previously planned restaurant building by 21% which constitutes a major change and consideration by the Planning Commission.



Site Aerial



View looking southeast from Noble Drive and College Boulevard intersection

2. Zoning Requirements:

- a. **Use** – A specialty school including martial arts instruction is permitted in the CP-2/ C-2 District and is compatible with uses already existing in the shopping center.
- b. **Setbacks** – The following table lists the required setbacks for the CP-2 District and the proposed setbacks for the development.

	<i>District Requirement</i>	<i>Proposed Plan</i>
<i>Front Yard</i>	10 feet from property line	145-foot front yard setback
<i>Side Yard</i>	10 feet from property lines, 40 feet from arterial street right-of-way	45-foot and 35-foot side yard setbacks
<i>Rear Yard</i>	10 feet from the property line	46-foot rear yard setback

The parking/paving setback requirement of 15-feet from street right-of-way and the requirement of 10 feet from property lines are being met. There are existing parking spaces along W. 111th Court which are legally nonconforming since they have been

utilized prior to the adoption of this ordinance and will continued to be used for this development.

- c. **Building Height** – The maximum height permitted in the CP-2 District is 40 feet. The proposed building will have a maximum height of 20 feet which complies with this UDO requirement.
- d. **Open Space** – Developments subject to Site Design Category 4 and Building Design Category D requirements, are required to have a minimum of 20% open space. The submitted plans for this project show 50.1% open space which exceeds the UDO requirements.

3. Development Requirements:

- a. **Access/Streets** –The development will have one access point within the southeast portion of the property onto an interior access road that connects to adjacent public streets.
- b. **Parking** – The CP-2 District requires 1 parking space per 1,000 square feet square feet of a commercial building. The proposed 5,015 square foot building is required to provide a minimum of 5 parking spaces. The preliminary development plan includes a total of 32 spaces for the proposed use and 11 of the spaces are already existing. Staff has evaluated the quantity, distribution and layout of the parking and is supportive of the proposed design as comparable distributions of parking for similar uses have been provided for other developments. There will be a consistent overlapping of instructional sessions thus generating the demand for the number of parking spaces provided on the preliminary development plan.
- c. **Lighting** – A photometric plan in compliance with the UDO and cutsheets of proposed lighting will be submitted with the final site development plan application.
- d. **Landscaping/Fencing** – A landscape plan was submitted identifying perimeter landscaping along all property lines as well as landscaping in the parking islands, parking/paving screening, and along all foundations of the building. Parking/paving screening will need to be added to the east side of the parking area, along the north property line and around the dumpster enclosure with the final site development plan.
- e. **Screening** – All rooftop, ground mounted and building mounted mechanical equipment are required to be screened per the UDO. A note will be included on the final site development plan that all mechanical equipment will be screened per UDO requirements.
- f. **Public Utilities** – The property is located in the City of Olathe sewer and WaterOne service areas.
- g. **Stormwater/Detention** – The site is served by existing regional detention and does not require a detention basin on-site.

4. Site Design Standards:

The proposed development meets or exceeds the standards of **Site Design Category 4** (UDO 18.15.120). The following is staff's analysis of the site design requirements.

Site Design (Category 4)	Design Requirements	Meets Site Design Requirement
<i>Outdoor Amenity Space</i>	Required for developments with more than 65% open space or larger than 4 acres <i>Development has less than 65% open space and is less than 4 acres</i>	Yes
<i>Parking Pod Size</i>	Maximum requirement of 80 spaces per parking pod. <i>Largest parking pod is 11 spaces</i>	Yes
<i>Pedestrian Connectivity</i>	Pedestrian gateway, cross property connection, pedestrian connection to adjacent development or pedestrian connection to regional trail <i>New sidewalks are included that will connect to existing sidewalks within the development and to existing sidewalks along the street.</i>	Yes
<i>Drainage Features</i>	Open drainage and detention areas visible to the public shall be designed as an attractive amenity or screened <i>There are no open drainage features as the site is served by regional detention.</i>	Yes

5. Building Design Standards:

The building is subject to **Building Design Category D** (UDO 18.15.040). The proposed development is harmonious in design with the surrounding shopping center through the use of similar qualities and architectural detailing. The following is an analysis of the Category D building requirements and proposed design.

Composite Building Design (Category D)	Design Requirements	Meets Site Design Requirement
Horizontal Articulation	Horizontal articulation tool (ex. wall offset) used a minimum of every 75 feet of linear façade width. <i>Wall offsets and notches are included on the elevations that are over 75 feet long (east and west elevations)</i>	Yes

Vertical Articulation	Vertical articulation tool (ex. variation in roof form, height) used a minimum of every 75 feet of linear façade width. <i>The elevations longer than 75 feet include variations in roof height</i>	Yes
Focal Point Elements	Towers or raised parapets of at least 4' are required on primary facades. <i>Raised parapet elements that produce a variation in roof height of at least 4 feet are included on the facades longer than 75 feet</i>	Yes
Façade Expression	Buildings must incorporate additional façade expression tools such as awnings, canopies or ornamental cornice <i>Ornamental cornice included on all elevations</i>	Yes
Glass	Minimum requirement of 20% glass on primary facades <i>The amount of glass on the north elevation is 13% which is less than the required 20%</i>	See Waiver Request
Building Materials	The primary facades require a minimum of 70% Category 1 Materials and maximum 30% Category 2; there are no secondary facades <i>All elevations contain greater than 70% Category 1 materials (stucco, masonry, glass)</i>	Yes
Mixed Building Materials	All primary facades must incorporate a mix of building materials <i>All elevations include a mixture of Category 1 materials</i>	Yes
Transition standard for projects adjacent to single-family neighborhoods	A building or portion of a building within 200 feet of an R-1 or R-2 District may be no more than 35 feet or two stories in height <i>No portion of the building is within 200 feet of an R-1 or R-2 District</i>	Yes
Overhead Doors	Overhead doors facing a public street shall incorporate a canopy and/or windows <i>No overhead doors are included as part of this development</i>	Yes

6. Waiver Requests:

The applicant is requesting one waiver for the amount of glass on a primary façade. The waiver request is for the north elevation which contains 13% glass and a minimum of 20% glass is required to fulfil the Building Design Category D requirements. The applicant has

submitted a waiver request summary that is included in the Planning Commission packet detailing the purpose of the request. The northern portion of the building is planned to accommodate restrooms, changing areas and storage areas that are not conducive to facilitating additional glass. The applicant states that no private rights will be injured or endangered nor will the public suffer any loss by granting the waiver request.

Staff Analysis

Staff is supportive of the waiver request due to the proposal meeting several criteria for waivers found in Section 18.40.240.E of the UDO. The topography of the site and the placement of a retaining wall north of the building provides partial screening of the north façade as the building sits slightly below street level. Also, during the review process, the applicant added additional glass to the north façade based on staff comments along with incorporating additional architectural elements such as an ornamental cornice. The amount of glass was also increased by the applicant on the other building facades. Staff will be working with the applicant during the final development plan process to incorporate additional changes in materials, color or an architectural feature be added to the north elevation to break up the long banding of stucco. Nearby properties are not expected to be negatively impacted by the granting of the waiver request.

7. Staff Recommendation:

Staff recommends approval of the preliminary site development plan (PR19-0023) with the following stipulations:

- a. A final site development plan application must be submitted and approved prior to submitting for building permit.
- b. A waiver from 18.15.040.D is granted to permit 13% glass on the north elevation as shown on the submitted elevations.
- c. Additional architectural features including changes in material or color must be added to the north elevation on the final site development plan.
- d. Parking/paving landscaping on the east of the parking lot, landscaping around the dumpster enclosure and ornamental trees along the north property line are required with the final site development plan.
- e. The final site development plan must include notes for all exterior ground or building mounted equipment, including but not limited to mechanical equipment, utility meter banks and coolers, must be screened from public view with landscaping or an architectural treatment compatible with the building architecture in accordance with the UDO requirements.